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UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

SEINE VESSELS RESERVE,

Plaintiff,

v.

ALASKA EAGLE, LLC, *in personam*; and
F/V ALASKA EAGLE, OFFICAL NO.
252152, HER ENGINES, MACHINERY,
APPURTENANCES, AND CARGO, *in rem*,

Defendants.

IN ADMIRALTY

No.

COMPLAINT FOR DAMAGES

Plaintiff above named alleges as follows:

I. JURISDICTION

1.1. This is an admiralty claim within the meaning of Fed. R. Civ. P. 9(h) and the general maritime law of the United States.

1.2. This Court has subject matter jurisdiction over this claim pursuant to 28 U.S.C. § 1333.

COMPLAINT FOR DAMAGES -1-

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2.2 Defendant Alaska Eagle, LLC, is an Alaska corporation and was at all material times conducting business in the State of Alaska. At all material times, this Defendant was the owner and/or operator and/or of the F/V ALASKA EAGLE.

2.4 Venue is proper in this Court pursuant to 28 U.S.C. §1391.

3.1 At all material times, Michael Patitucci was the owner of the F/V DENISE MARIE and a member of SVR.

3.3 Patitucci submitted a claim to SVR for the constructive total loss of the F/V DENISE MARIE, the cost of salvaging the vessel, and the cost of surveying and repairing the damage sustained by the vessel's skiff in the above-referenced collision.

3.4 Pursuant to the membership agreement between SVR and Patitucci, SVR is subrogated to Patitucci's *in personam* claims against Defendant and the *in rem* claims against the

1 F/V DENISE MARIE arising out of said collision.

2 **IV. NEGLIGENCE CLAIM**

3 4.1 Plaintiff incorporates by this reference the allegations of Sections I, II and III .

4 4.2 The aforesaid damage to the F/V DENISE MARIE and its skiff was proximately
5 and solely caused by the Defendant's negligent navigation of the F/V ALASKA EAGLE. Such
6 negligence includes, but is not limited to, Defendant's violation of one or more "Rules of the
7 Road."

8 **V. REQUEST FOR RELIEF**

9 WHEREFORE Plaintiffs pray for judgment against Defendant as follows:

10 1. For the amounts paid to salvage the F/V DENISE MARIE, for the amounts paid
11 to Patitucci for the constructive total loss of the vessel, for the costs incurred in surveying and
12 repairing the F/V DENISE MARIE's skiff and for such other amounts as SVR may be obligated
13 to pay under the membership agreement between SVR and Patitucci;

14 2. For arrest, condemnation and sale of the F/V ALASKA EAGLE, including her
15 engine, machinery, appurtenances, and cargo;

16 3. For prejudgment interest according to general maritime law;

17 4. For Plaintiff's attorney's fees and costs of suit incurred herein;

18 5. For such other and further relief as the Court may deem just.
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1 DATED this 14th day of January, 2021.

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3 ZUANICH LAW, PLLC

4 By: /s/ Robert P. Zuanich
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